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10/734,397

12/12/2003

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07/03/2007

EXAMINER

LUU, SY D

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/734,397

Applicant(s)

GUICHARD ET AL.

Examiner

Sy D. Luu

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-73 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/12/03
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9-10, 13-14, 16-22, 54-58, 64 and 66

2. Claims 1-8, 11-12, 15, 23-53, 59-63, 65, 67-70 are rejected under 35 U.S.C. 102(b) as being anticipated by Rosen (US 6,938,218 B1).

As per claim 1, Rosen teaches an electronic information access system, comprising:

a concept map having a perimeter larger than a viewing window within which a portion of said concept map is viewable, said concept map and said viewing window are configured such that less than the entire concept map is visible at any given time (figs 5-6; col. 3, lines 45 et seq.; *only a subset of objects from all the possible objects are displayed*); and a navigation interface that allows a user to selectively position a desired portion of said concept map within said viewing window (fig 6; col. 3, lines 50-56; *user selectively navigates to a desired portion of the entire map of all related web objects through the displayed objects*).

As per claims 2-4, Rosen teaches said navigation interface comprising at least eight-way, mouse-over, selection functionality, wherein said navigation interface comprising at least eight individual buttons, each button is associated with a unique navigation direction, and wherein said navigation interface comprising at least eight unique areas within said viewing window,

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search of said areas is associated with a unique navigation direction. (fig. 6; col. 3, lines 47-56; from the center object 1, there are at least eight ways/directions that a user may navigates through via eight individual selectable icons/buttons/areas such as objects 2, 3, 4, 5, 12, 13, 16 and 17).

As per claims 5, Rosen teaches said viewing window comprises substantially all of, or all of, an associated browser window, wherein said navigation interface is incorporated in a browser tool bar and, or, menu (*fig. 6 depicts the viewing window comprising substantially all of, or all of, an associated browser window, as well as the navigation interface being incorporated in a menu comprising of selectable objects such as 2-5*).

As per claims 7-8, Rosen teaches a border around at least a portion of said concept map, wherein said border functions to indicate to a user that at least a portion of an edge of said concept map has been encountered (fig. 6; the border is shown to be the bounding lines/perimeter surrounding objects 10, 15, 20 and 25).

As per claims 11-12 and 15, Rosen teaches/suggests said concept map comprising at least one subject topic and, or, at least one sub-subject topic (fig. 6; col. 11, lines 51 et seq.; *levels of information and the objects are shown as at least partially configured as a graphic/image/text representation of an item selected from a commercial environment*).

As per claims 23-24, Rosen teaches said concept map to be configured to move with respect to said viewing window, wherein said viewing window is configured to move with respect to said concept map (col. 3, lines 45 et seq.).

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As per claims 25-26 and 28, Rosen teaches said concept map to be selected from a group comprising a commercial environment covering at least one limitation as claimed, wherein said concept map is three dimensional (fig. 6; col. 11, lines 51 et seq.)

As per claim 27, Rosen teaches the electronic information access system to comprise at least a personal computer (*web browsers are inherently processed by a computer so that a display could be shown therefrom*).

Claim 29 is similar in scope to claim 1, and are therefore rejected under similar rationale. Rosen also disclose at least one GO TO button (col. 11, line 17; *BACK button*).

Claims 30-51 are similar in scope to claims 11-17, 23-25, 25-28 respectively, and are therefore rejected under similar rationale.

Claims 53-62 are similar in scope to claims 1, 37, 39, and 26-27 respectively, and are therefore rejected under similar rationale.

Claims 63, 65, 67-70 are similar in scope to claims 1, 15, 37, 39, 26-27 respectively, and are therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 9-10, 13-14, 16-22, 54-58, 64 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen (US 6,938,218 B1).

As per claims 9-10, 13-14, 16-22, 54-58, 64 and 66, Rosen does not expressly/explicitly disclose all limitations as recited.

However, all of these features are well known in the art, particularly in the web browsing windows environment. It would have been obvious to an artisan at the time of the invention to combine/include these features with Rosen's system in order to further provide normal and expected common functionalities as pertaining to the web browsing operations, as well as provide on-line commercial advertisement opportunities to merchants.

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Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (571) 272-4064. The examiner can normally be reached on Monday - Friday from 7:300 am to 4:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sy D. Luu/

Sy D. Luu

Primary Examiner, Art Unit 2174